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February 3, 2025

The Honorable John P. Cronan
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: 1:24-cv-08975-JPC; Plaintiff's Request for an Extension of Time Within Which to Effectuate Service on Defendant

Dear Judge Cronan,

The James Law Firm, PLLC represents Plaintiff in the above captioned matter. This matter has been filed as a John Doe against the internet subscriber assigned the referenced IP address. Plaintiff respectfully requests an extension of the time within which to effectuate service on John Doe.

On November 23, 2024, Plaintiff filed the instant case against John Doe subscriber assigned IP address 98.113.242.16 claiming Defendant's direct infringement of Plaintiff's works through BitTorrent protocol.

On December 16, 2024, Plaintiff filed a Motion for Leave to Serve a Third-Party Subpoena Prior to a Rule 26(f) Conference ("Motion for Leave") in order to serve a third party subpoena on Defendant's ISP.

On December 17, 2024, the Court granted Plaintiff leave to serve a third-party subpoena. Plaintiff served Defendant's ISP with a third-party subpoena on or about December 19, 2024, and in accordance with the time allowances provided to both the ISP and Defendant, expects to receive the ISP response on or about April 28, 2025.

Pursuant to Fed. R. Civ. P. Rule 4(m), Plaintiff is required to effectuate service on the Defendant no later than February 21, 2025.

Because Plaintiff does not expect to receive the ISP response until April 28, 2025, and Defendant's identity is unknown to Plaintiff at this time, Plaintiff is unable to comply with the current deadline to effect service of process.

Plaintiff respectfully requests that the deadline to effect service be extended for sixty (60) days from April 28, 2025 (the date Plaintiff expects to receive the ISP response), and thus the deadline to effect service be extended to June 27, 2025. This extension should allow Plaintiff time to receive the ISP response, to conduct a further investigation to assist in determining whether the individual identified by the ISP is the appropriate defendant for this action, and, if a good faith basis continues to exist, to proceed against that individual (or someone else), amend the Complaint to name the Defendant and attempt to effect service of process on that individual.

For the foregoing reasons, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Amended Complaint on Defendant be extended to June 27, 2025.

Respectfully Submitted,

By: /s/Jacqueline M. James
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The request is granted. Plaintiff's time to effect service is extended to June 27, 2025.

SO ORDERED
February 5, 2025
New York, New York


JOHN P. CRONAN
United States District Judge